



Entered on Docket  
October 22, 2009

A handwritten signature in dark ink, appearing to read "Linda B. Riegle".

Hon. Linda B. Riegle  
United States Bankruptcy Judge

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The Bank of New York Mellon, fka The Bank of New York as Successor in interest to JP Morgan Chase Bank NA as Trustee for Structured ASset Mortgage Investments II Inc. Bear Stearns ALT-A Trust 2005-5, Mortgage Pass-Through Certificates, Series 2005-5 09-76163

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In Re:

Craig Brian Hall

Debtor.

BK-S-09-24935-LBR

Date: 9/30/09  
Time: 10:00am

Chapter 7

**ORDER VACATING AUTOMATIC STAY**

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the  
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to  
3 Secured Creditor The Bank of New York Mellon, fka The Bank of New York as Successor in interest  
4 to JP Morgan Chase Bank NA as Trustee for Structured ASset Mortgage Investments II Inc. Bear  
5 Stearns ALT-A Trust 2005-5, Mortgage Pass-Through Certificates, Series 2005-5, its assignees and/or  
6 successors in interest, of the subject property, generally described as 5714 Winter Star Ct., Las Vegas,  
7 NV 89141.  
8

9  
10 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall  
11 give Debtors and Trustee at least five business days' notice of the time, place and date of sale.

12 DATED this \_\_\_\_\_ day of \_\_\_\_\_ 2009

13 Submitted by:

14 **WILDE & ASSOCIATES**

15 By 

16 **GREGORY L. WILDE, ESQ.**

17 Attorney for Secured Creditor

18 APPROVED / DISAPPROVED

19 \_\_\_\_\_  
20 Donald P. Norris

21 1701 W. Charleston Blvd

22 #320

23 Las Vegas, NV 89102

24 Attorney for Debtor(s)

25 APPROVED / DISAPPROVED

26 \_\_\_\_\_  
James F. Lisowski, Sr.

P.O Box 95695

Las Vegas, NV 89193

Chapter 7 Trustee

1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any  
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,  
and each has approved or disapproved the order, or failed to respond, as indicated below  
(list each party and whether the party has approved, disapproved, or failed to respond to the  
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: \_\_\_\_\_

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of  
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which  
22 they have not replied

23  
24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor